

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2007-0259-AIR-E TCEQ ID: RN100542844 CASE NO.: 32726
RESPONDENT NAME: Mobil Chemical Company Inc.

Page 1 of 2

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Mobil Chemical Beaumont Chemical Plant BMCP, 2775 Gulf Street, Beaumont, Jefferson County</p> <p>TYPE OF OPERATION: Petrochemical manufacturing plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on September 3, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: Ms. Melissa Keller, SEP Coordinator, Enforcement Division, MC 219, (512) 239-1768 TCEQ Enforcement Coordinator: Mr. Daniel Siringi, Enforcement Division, Enforcement Team 5, R-10, (409) 899-8799; Mr. David Van Soest, Enforcement Division, MC 219, (512) 239-0468 Respondent: Mr. John Townsend, Site Manager, Mobil Chemical Company Inc., P.O. Box 3868, Beaumont, Texas 77704 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: October 31, 2006</p> <p>Date of NOE Relating to this Case: February 14, 2007 (NOE)</p> <p>Background Facts: This was a routine investigation. One violation was documented. AIR</p> <p>Failure to prevent unauthorized emissions. Specifically, on October 30 to November 9, 2006, 3,945.5 pounds (lbs) of Volatile Organic Compounds (VOCs), 12,881 lbs of Carbon Monoxide (CO) and 2,518 lbs of Oxides of Nitrogen (NOx) were released from LP Flare Emission Point Number (EPN) EH 41 and 3,901 lbs of VOCs, 13,563 lbs of CO and 2,925 lbs of NOx were released from HP Flare, EPN EH 42 for 249 hours and 39 minutes. Since the emissions event was avoidable, Mobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), Air Permit No. 7799/PSD-TX-860, Special Condition 1 and TEXAS HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$40,700</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$20,350</p> <p>Total Paid to General Revenue: \$20,350</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Orders Justification: This is a Findings Order because environmental receptors have been exposed to pollutants which exceed levels that are protective.</p>	<p>Ordering Provisions:</p> <p>1) The Order will require the Respondent to implement and complete a Supplemental Environmental Project (SEP) (See Attachment A).</p> <p>2) The Order will also require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, implement training to ensure proper operations and maintenance of LP Flare EH 41 and HP Flare EH 42; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification including detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a.</p>

Attachment A
Docket Number: 2007-0259-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Mobil Chemical Company Inc.
Payable Penalty Amount:	Forty Thousand Seven Hundred Dollars (\$40,700)
SEP Amount:	Twenty Thousand Three Hundred Fifty Dollars (\$20,350)
Type of SEP:	Pre-approved
Third-Party Recipient:	Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles
Location of SEP:	Jefferson County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the Third-Party Recipient will contribute to Jefferson County for its Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles. Specifically, the contribution will be used to purchase alternative fueled equipment such as propane or electric powered lawn mowers, propane powered light duty and heavy equipment, and alternative fueled vehicles and retire diesel and gasoline powered equipment and vehicles. Jefferson County will also convert current equipment and vehicles to alternative fueled equipment in order to lower emissions.

All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air emissions generated by gasoline and diesel powered equipment and vehicles in the Beaumont/Port Arthur ozone non-attainment area.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

The Honorable Judge Ron Walker
Jefferson County Judge
1149 Pearl Street, 4th Floor
Beaumont, Texas 77701

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision January 9, 2007

DATES	Assigned	20-Feb-2007
	PCW	15-Mar-2007
	Screening	21-Feb-2007
	EPA Due	18-Nov-2007

RESPONDENT/FACILITY INFORMATION	
Respondent	Mobil Chemical Company Inc.
Reg. Ent. Ref. No.	RN100542844
Facility/Site Region	10-Beaumont
Major/Minor Source	Major

CASE INFORMATION	
Enf./Case ID No.	32726
Docket No.	2007-0259-AIR-E
Media Program(s)	Air Quality
Multi-Media	
Admin. Penalty \$	Limit Minimum \$0 Maximum \$10,000
No. of Violations	1
Order Type	Findings
Enf. Coordinator	Daniel Siringi
EC's Team	Enforcement Team 6

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$10,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

	132% Enhancement	Subtotals 2, 3, & 7	\$13,200
Notes	Enhancement for six (6) 1660 orders, one (1) NOV with same or similar violations, and four (4) NOVs without same or similar violations, including three (3) self-reported effluent violations. Reduction for one (1) notice of audit.		

Culpability	No	0% Enhancement	Subtotal 4	\$0
Notes	The Respondent does not meet the culpability criteria.			

Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
	Before NOV	NOV to EDPRP/Settlement Offer	
Extraordinary			
Ordinary			
N/A	X	(mark with x)	
Notes	The Respondent does not meet the good faith criteria.		

	0% Enhancement*	Subtotal 6	\$0
Total EB Amounts	\$141		
Approx. Cost of Compliance	\$3,500		
	*Capped at the Total EB \$ Amount		

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$23,200

OTHER FACTORS AS JUSTICE MAY REQUIRE **75%** **Adjustment** \$17,500

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes	Recommend an upward adjustment due to the significant amount of contaminants released and the duration of the emission event described in violation No. 1.
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Final Penalty Amount \$40,700

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$40,700

DEFERRAL **0%** **Reduction** **Adjustment** \$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes	No deferral is recommended for Findings Orders.
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PAYABLE PENALTY \$40,700

Screening Date 21-Feb-2007

Docket No. 2007-0259-AIR-E

PCW

Respondent Mobil Chemical Company Inc.

Policy Revision 2 (September 2002)

Case ID No. 32726

PCW Revision January 9, 2007

Reg. Ent. Reference No. RN100542844

Media [Statute] Air Quality

Enf. Coordinator Daniel Siringi

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	4	8%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	6	120%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	1	-1%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 132%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for six (6) 1660 orders, one (1) NOV with same or similar violations, and four (4) NOVs without same or similar violations, including three (3) self-reported effluent violations. Reduction for one (1) notice of audit.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 132%

Screening Date 21-Feb-2007

Docket No. 2007-0259-AIR-E

PCW

Respondent Mobil Chemical Company Inc.

Policy Revision 2 (September 2002)

Case ID No. 32726

PCW Revision January 9, 2007

Reg. Ent. Reference No. RN100542844

Media [Statute] Air Quality

Enf. Coordinator Daniel Siringi

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 101.20(3), 116.115(b)(2)(F) and (c), Air Permit No. 7799/PSD-TX-860, Special Condition 1 and Texas Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, on October 30 to November 9, 2006, 3,945.5 pounds (lbs) of Volatile Organic Compounds (VOCs), 12,881 lbs of Carbon Monoxide (CO) and 2,518 lbs of Oxides of Nitrogen (NOx) were released from LP Flare Emission Point Number (EPN) EH 41 and 3,901 lbs of VOCs, 13,563 lbs of CO and 2,925 lbs of NOx were released from HP Flare, EPN EH 42 for 249 hours and 39 minutes. Since the emissions event was avoidable, Mobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 .

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to significant amounts which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$10,000

Violation Events

Number of Violation Events 1

11 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$10,000

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$141

Violation Final Penalty Total \$40,700

This violation Final Assessed Penalty (adjusted for limits) \$40,700

Economic Benefit Worksheet

Respondent Mobil Chemical Company Inc.
Case ID No. 32726
Reg. Ent. Reference No. RN100542844
Media Air Quality
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$3,500	30-Oct-2006	20-Aug-2007	0.8	\$141	n/a	\$141
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost of training personnel on the proper operations and maintenance of LP Flare EH 41 and HP Flare EH 42. Date required is the date of the first emissions event related to LP Flare EH 41 and HP Flare EH 42 maintenance and final date is the date the respondent is expected to complete all corrective actions.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$3,500

TOTAL

\$141

Compliance History

Customer/Respondent/Owner-Operator:	CN600125777	Mobil Chemical Company Inc.	Classification: AVERAGE	Rating: 2.39
Regulated Entity:	RN100542844	MOBIL CHEMICAL BEAUMONT CHEMICAL PLANT BMCP	Classification: AVERAGE	Site Rating: 4.26
ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0062S	
	AIR OPERATING PERMITS	PERMIT	1173	
	AIR OPERATING PERMITS	PERMIT	2201	
	AIR OPERATING PERMITS	PERMIT	1354	
	AIR OPERATING PERMITS	PERMIT	2292	
	AIR OPERATING PERMITS	PERMIT	2293	
	AIR OPERATING PERMITS	ACCOUNT NUMBER	JE0064O	
	AIR OPERATING PERMITS	PERMIT	1354	
	AIR OPERATING PERMITS	PERMIT	2292	
	AIR OPERATING PERMITS	PERMIT	2293	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1230089	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30047	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000449694	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	ID NUMBER	30047	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD000449694	
	WASTEWATER	PERMIT	WQ0002029000	
	WASTEWATER	PERMIT	TX0068934	
	WASTEWATER	PERMIT	WQ0000462000	
	WASTEWATER	PERMIT	TPDES0004227	
	WASTEWATER	PERMIT	TX0004227	
	AIR NEW SOURCE PERMITS	PERMIT	9907	
	AIR NEW SOURCE PERMITS	PERMIT	485	
	AIR NEW SOURCE PERMITS	PERMIT	7799	
	AIR NEW SOURCE PERMITS	PERMIT	10248	
	AIR NEW SOURCE PERMITS	PERMIT	10249	
	AIR NEW SOURCE PERMITS	PERMIT	10575	
	AIR NEW SOURCE PERMITS	PERMIT	10728	
	AIR NEW SOURCE PERMITS	PERMIT	11238	
	AIR NEW SOURCE PERMITS	PERMIT	11791	
	AIR NEW SOURCE PERMITS	PERMIT	13942	
	AIR NEW SOURCE PERMITS	PERMIT	14021	
	AIR NEW SOURCE PERMITS	PERMIT	15160	
	AIR NEW SOURCE PERMITS	PERMIT	18838	
	AIR NEW SOURCE PERMITS	PERMIT	19000	
	AIR NEW SOURCE PERMITS	PERMIT	41728	
	AIR NEW SOURCE PERMITS	PERMIT	43948	
	AIR NEW SOURCE PERMITS	PERMIT	44969	
	AIR NEW SOURCE PERMITS	PERMIT	44976	
	AIR NEW SOURCE PERMITS	PERMIT	44975	
	AIR NEW SOURCE PERMITS	PERMIT	44973	
	AIR NEW SOURCE PERMITS	PERMIT	44971	
	AIR NEW SOURCE PERMITS	PERMIT	48054	
	AIR NEW SOURCE PERMITS	PERMIT	48163	
	AIR NEW SOURCE PERMITS	PERMIT	50210	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE0062S	
	AIR NEW SOURCE PERMITS	PERMIT	53384	
	AIR NEW SOURCE PERMITS	REGISTRATION	72115	
	AIR NEW SOURCE PERMITS	REGISTRATION	55190	
	AIR NEW SOURCE PERMITS	REGISTRATION	76364	
	AIR NEW SOURCE PERMITS	REGISTRATION	76365	
	AIR NEW SOURCE PERMITS	REGISTRATION	75511	
	AIR NEW SOURCE PERMITS	REGISTRATION	76058	
	AIR NEW SOURCE PERMITS	AFS NUM	4824500087	
	AIR NEW SOURCE PERMITS	PERMIT	56360	
	AIR NEW SOURCE PERMITS	REGISTRATION	70717	
	AIR NEW SOURCE PERMITS	REGISTRATION	71387	
	AIR NEW SOURCE PERMITS	REGISTRATION	71388	
	AIR NEW SOURCE PERMITS	REGISTRATION	71524	
	AIR NEW SOURCE PERMITS	REGISTRATION	71675	

AIR NEW SOURCE PERMITS	PERMIT	50767
AIR NEW SOURCE PERMITS	PERMIT	54743
AIR NEW SOURCE PERMITS	REGISTRATION	72706
AIR NEW SOURCE PERMITS	REGISTRATION	72767
AIR NEW SOURCE PERMITS	REGISTRATION	72934
AIR NEW SOURCE PERMITS	REGISTRATION	72936
AIR NEW SOURCE PERMITS	REGISTRATION	73014
AIR NEW SOURCE PERMITS	REGISTRATION	73733
AIR NEW SOURCE PERMITS	REGISTRATION	74662
AIR NEW SOURCE PERMITS	REGISTRATION	74950
AIR NEW SOURCE PERMITS	REGISTRATION	75162
AIR NEW SOURCE PERMITS	REGISTRATION	75328
AIR NEW SOURCE PERMITS	REGISTRATION	75304
AIR NEW SOURCE PERMITS	REGISTRATION	76456
AIR NEW SOURCE PERMITS	REGISTRATION	76498
AIR NEW SOURCE PERMITS	EPA ID	PSDTX754
AIR NEW SOURCE PERMITS	REGISTRATION	76584
AIR NEW SOURCE PERMITS	REGISTRATION	76710
AIR NEW SOURCE PERMITS	REGISTRATION	77711
AIR NEW SOURCE PERMITS	REGISTRATION	78058
AIR NEW SOURCE PERMITS	REGISTRATION	78170
AIR NEW SOURCE PERMITS	REGISTRATION	78284
AIR NEW SOURCE PERMITS	REGISTRATION	78554
AIR NEW SOURCE PERMITS	REGISTRATION	78861
AIR NEW SOURCE PERMITS	REGISTRATION	78903
AIR NEW SOURCE PERMITS	PERMIT	1295
AIR NEW SOURCE PERMITS	PERMIT	1295A
AIR NEW SOURCE PERMITS	PERMIT	10194
AIR NEW SOURCE PERMITS	PERMIT	10242
AIR NEW SOURCE PERMITS	PERMIT	11641
AIR NEW SOURCE PERMITS	PERMIT	11642
AIR NEW SOURCE PERMITS	PERMIT	11983
AIR NEW SOURCE PERMITS	PERMIT	12105
AIR NEW SOURCE PERMITS	PERMIT	12362
AIR NEW SOURCE PERMITS	PERMIT	12575
AIR NEW SOURCE PERMITS	PERMIT	13789
AIR NEW SOURCE PERMITS	PERMIT	14492
AIR NEW SOURCE PERMITS	PERMIT	19366
AIR NEW SOURCE PERMITS	PERMIT	19950
AIR NEW SOURCE PERMITS	PERMIT	21015
AIR NEW SOURCE PERMITS	PERMIT	23327
AIR NEW SOURCE PERMITS	PERMIT	24243
AIR NEW SOURCE PERMITS	PERMIT	24975
AIR NEW SOURCE PERMITS	PERMIT	26126
AIR NEW SOURCE PERMITS	PERMIT	26152
AIR NEW SOURCE PERMITS	PERMIT	24857
AIR NEW SOURCE PERMITS	PERMIT	32200
AIR NEW SOURCE PERMITS	PERMIT	32614
AIR NEW SOURCE PERMITS	PERMIT	32865
AIR NEW SOURCE PERMITS	PERMIT	34347
AIR NEW SOURCE PERMITS	PERMIT	34780
AIR NEW SOURCE PERMITS	PERMIT	34427
AIR NEW SOURCE PERMITS	PERMIT	37362
AIR NEW SOURCE PERMITS	PERMIT	40289
AIR NEW SOURCE PERMITS	PERMIT	41445
AIR NEW SOURCE PERMITS	PERMIT	42983
AIR NEW SOURCE PERMITS	PERMIT	43123
AIR NEW SOURCE PERMITS	PERMIT	41935
AIR NEW SOURCE PERMITS	PERMIT	44863
AIR NEW SOURCE PERMITS	PERMIT	44991
AIR NEW SOURCE PERMITS	PERMIT	44990
AIR NEW SOURCE PERMITS	PERMIT	46421
AIR NEW SOURCE PERMITS	PERMIT	46852
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE00640
AIR NEW SOURCE PERMITS	REGISTRATION	79510
AIR NEW SOURCE PERMITS	REGISTRATION	79796
AIR NEW SOURCE PERMITS	REGISTRATION	79874
AIR NEW SOURCE PERMITS	REGISTRATION	80418
AIR NEW SOURCE PERMITS	REGISTRATION	80540

AIR NEW SOURCE PERMITS	REGISTRATION	80827
AIR NEW SOURCE PERMITS	REGISTRATION	80937
WATER LICENSING	LICENSE	1230089
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION #	30047
	(SWR)	

Location: 2775 GULF ST, BEAUMONT, TX, 77703 Rating Date: 9/1/2006 Repeat Violator: NO

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: February 20, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: February 20, 2002 to February 20, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Daniel Siringi Phone: (409) 899-8799

Site Compliance History Components

- Has the site been in existence and/or operation for the full five year compliance period? Yes
- Has there been a (known) change in ownership of the site during the compliance period? Yes
- If Yes, who is the current owner?
 - ExxonMobil Oil Corporation
 - Mobil Chemical Company Inc.
 - Groendyke Transport, Inc.
 - ExxonMobil Oil Corporation
- If Yes, who was/were the prior owner(s)?
 - Exxon Mobil Corporation
 - ExxonMobil Oil Corporation
- When did the change(s) in ownership occur?
 - 11/18/2002

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 01/30/2004

ADMINORDER 2001-1044-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(e)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7799/PSD-TX-860 PERMIT

Description: Failure to submit initial stack test reports for temporary flares EH100 and EH101 w/in 180 days after initial startup.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.164(g)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to repair Vapor Compressors C44A and C44B within 15 days after detection of a leak.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 779/PSD-TX-860 PERMIT

Description: Failure to monitor water from Cooling Tower 4 (EPN EM26) utilizing an approved method.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Failure to comply with the permitted SO2 and CO emission limits at Decoking Vents B-6151A, B (EPN EM25) and B6301A, B(EPN EM6301) and B-6101C, D (EPN EM24).

Effective Date: 11/26/2004

ADMINORDER 2004-0491-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 7799/PSD-TX-860, SC1 PERMIT

Description: Failure to comply with Special Condition 1 which states that the total emissions of air contaminants from any of the sources shall not exceed the values stated on the table entitled Emission Sources - Maximum Allowable Emission Rates.

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Unauthorized emissions from emission point number D-411 during emissions event number 34727.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(a)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 7799/PSD-TX-860, SC1 PERMIT

Description: Failure to comply with Special Condition 1 which states that the total emissions of air contaminants

from any of the sources shall not exceed the values stated on the table entitled Emission Sources - Maximum Allowable Emission Rates.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7799/PSD-TX-860 PERMIT

Description: Failure to comply with the emissions limits found in the Maximum Allowable Emission Rate Table of permits 7799 and PSD-TX-860.

Effective Date: 03/06/2006

ADMINORDER 2004-2052-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify in the initial report for an emissions event, the estimated total quantities and the authorized emissions limits for the compound descriptive type of the individually listed compounds or mixtures of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 7799/PSD-TX-860 PERMIT

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the HP and LP Flares that occurred from September 27, 2004 to September 28, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to identify in the final report for an emissions event, the estimated total quantities and the authorized emissions limits for the compound descriptive type of the individually listed compounds or mixtures of air contaminants.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit a copy of the final record for a reportable emissions event to the commission office for the region in which the facility is located no later than two weeks after the end of the emissions event.

Effective Date: 06/26/2006

ADMINORDER 2006-0007-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 1 PERMIT

Description: Failure to prevent unauthorized emissions and comply with Special Condition 1 of Permit 18838 for emissions which occurred at the Refinery Tank Farm (EPN EF-11) and the Paraxylene Unit stage III crystallizer pump (EPN EF-17).

Effective Date: 07/14/2006

ADMINORDER 2005-1903-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(G)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: 7799, Special Condition 1 PERMIT
 Description: Failed to comply with permitted and visible emissions limits.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to submit a timely emission event report.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: Special Condition No. 1 PERMIT
 Description: Failed to comply with permitted emissions limits.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)[G]
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: Special Condition No. 1 PERMIT
 Description: Failed to comply with permitted emissions limits.
 Effective Date: 08/28/2006 ADMINORDER 2006-0132-AIR-E
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: 7799 PERMIT
 Description: Failed to maintain an emission rate below the allowable emission limits specified in Air NSR
 Permit No. 7799/PSD-TX-860
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to submit a copy of the final record for a reportable emissions event which occurred on
 November 14, 2005 no later than two weeks after the end of the emissions event.
 Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Failed to maintain an emission rate below the allowable emission limits specified in Air NSR
 Permit No. 7799/PSD-TX-860.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	02/22/2002	(157233)
2	03/19/2002	(157236)
3	03/29/2002	(106173)
4	04/19/2002	(157240)
5	05/02/2002	(106174)
6	05/17/2002	(157243)
7	06/24/2002	(157248)
8	07/22/2002	(157252)
9	08/09/2002	(6134)
10	08/09/2002	(5094)
11	08/19/2002	(157255)
12	09/17/2002	(157258)
13	10/15/2002	(157261)
14	10/24/2002	(13941)
15	11/19/2002	(14888)
16	11/20/2002	(295036)
17	11/26/2002	(16013)
18	12/16/2002	(157268)
19	01/21/2003	(157249)

20	01/21/2003	(157272)
21	01/28/2003	(21294)
22	02/10/2003	(157234)
23	02/18/2003	(24104)
24	02/18/2003	(24115)
25	02/18/2003	(24098)
26	02/18/2003	(24075)
27	02/28/2003	(26512)
28	03/19/2003	(295024)
29	03/27/2003	(25115)
30	04/07/2003	(157241)
31	04/11/2003	(28778)
32	04/11/2003	(28777)
33	04/11/2003	(28775)
34	04/11/2003	(28774)
35	04/25/2003	(31435)
36	05/08/2003	(157244)
37	06/12/2003	(37861)
38	06/13/2003	(34614)
39	07/10/2003	(295029)
40	07/31/2003	(144539)
41	08/14/2003	(295031)
42	08/15/2003	(147299)
43	08/19/2003	(148800)
44	08/19/2003	(148797)
45	08/19/2003	(148777)
46	08/19/2003	(148754)
47	08/19/2003	(148786)
48	08/21/2003	(135509)
49	08/29/2003	(131527)
50	09/15/2003	(295033)
51	09/25/2003	(247942)
52	09/25/2003	(247943)
53	09/25/2003	(247947)
54	09/25/2003	(145552)
55	09/25/2003	(247926)
56	09/25/2003	(247927)
57	09/25/2003	(247928)
58	09/26/2003	(249856)
59	10/09/2003	(248598)
60	10/13/2003	(295035)
61	10/17/2003	(252368)
62	10/17/2003	(252385)
63	10/28/2003	(253354)
64	10/29/2003	(252720)
65	10/29/2003	(252713)
66	11/06/2003	(254210)
67	11/06/2003	(254213)
68	11/06/2003	(254200)
69	11/06/2003	(254212)
70	11/06/2003	(252449)
71	11/10/2003	(295037)
72	11/14/2003	(254019)
73	12/12/2003	(295038)
74	12/22/2003	(253031)
75	01/09/2004	(253997)
76	01/13/2004	(295039)
77	01/14/2004	(254182)
78	01/29/2004	(259142)
79	01/30/2004	(259841)
80	02/10/2004	(260798)
81	02/23/2004	(295023)
82	02/25/2004	(261400)
83	02/26/2004	(260495)
84	02/27/2004	(261399)
85	03/04/2004	(263223)
86	03/08/2004	(263017)
87	03/17/2004	(295025)

88	03/18/2004	(264108)
89	03/18/2004	(263711)
90	03/19/2004	(265439)
91	03/19/2004	(262155)
92	04/08/2004	(265862)
93	04/08/2004	(265864)
94	04/08/2004	(265866)
95	04/08/2004	(265858)
96	04/08/2004	(265859)
97	04/08/2004	(265861)
98	04/14/2004	(295026)
99	05/14/2004	(270134)
100	05/27/2004	(267998)
101	06/08/2004	(271363)
102	06/25/2004	(351948)
103	07/19/2004	(351949)
104	08/11/2004	(283476)
105	08/13/2004	(351950)
106	08/16/2004	(283483)
107	09/09/2004	(351951)
108	09/23/2004	(333290)
109	09/23/2004	(286727)
110	10/05/2004	(292551)
111	10/07/2004	(381774)
112	11/02/2004	(336327)
113	11/12/2004	(381775)
114	11/12/2004	(351952)
115	11/22/2004	(339443)
116	11/29/2004	(338558)
117	12/08/2004	(336179)
118	12/14/2004	(342891)
119	12/22/2004	(341934)
120	12/22/2004	(341860)
121	12/23/2004	(344306)
122	01/04/2005	(344309)
123	01/07/2005	(344744)
124	01/11/2005	(381776)
125	01/24/2005	(347162)
126	01/24/2005	(346430)
127	01/27/2005	(347142)
128	02/16/2005	(381771)
129	02/16/2005	(381773)
130	03/14/2005	(381772)
131	03/25/2005	(373598)
132	03/25/2005	(373612)
133	04/01/2005	(350006)
134	04/04/2005	(373527)
135	04/04/2005	(373546)
136	04/13/2005	(419603)
137	04/15/2005	(374940)
138	04/15/2005	(374959)
139	04/15/2005	(374964)
140	05/16/2005	(419604)
141	05/17/2005	(379171)
142	05/17/2005	(379173)
143	05/18/2005	(376394)
144	05/18/2005	(376397)
145	05/20/2005	(378697)
146	05/20/2005	(377601)
147	06/07/2005	(393622)
148	06/14/2005	(394339)
149	06/15/2005	(343658)
150	07/05/2005	(395523)
151	07/21/2005	(440745)
152	08/08/2005	(399209)
153	08/12/2005	(402429)
154	08/12/2005	(404419)
155	08/12/2005	(402412)

156	08/22/2005	(440746)
157	09/06/2005	(440747)
158	09/19/2005	(431106)
159	10/21/2005	(468278)
160	11/28/2005	(468279)
161	12/16/2005	(468280)
162	12/22/2005	(440335)
163	01/12/2006	(468281)
164	01/19/2006	(450582)
165	01/27/2006	(452740)
166	01/27/2006	(438784)
167	02/21/2006	(468276)
168	02/27/2006	(455014)
169	03/20/2006	(468277)
170	04/13/2006	(458301)
171	04/18/2006	(458326)
172	04/21/2006	(461141)
173	04/21/2006	(461550)
174	04/24/2006	(498092)
175	04/28/2006	(458040)
176	05/01/2006	(460605)
177	05/03/2006	(461386)
178	05/11/2006	(465117)
179	05/22/2006	(498093)
180	06/09/2006	(464823)
181	06/22/2006	(498094)
182	06/22/2006	(498095)
183	07/17/2006	(520112)
184	07/26/2006	(484018)
185	07/26/2006	(484019)
186	07/27/2006	(483687)
187	07/28/2006	(484021)
188	08/10/2006	(497294)
189	08/18/2006	(509390)
190	08/21/2006	(520113)
191	08/31/2006	(438315)
192	09/11/2006	(489225)
193	09/21/2006	(489166)
194	09/22/2006	(511416)
195	11/14/2006	(515867)
196	11/18/2006	(515852)
197	11/27/2006	(531085)
198	11/30/2006	(519476)
199	11/30/2006	(519280)
200	12/11/2006	(533458)
201	12/12/2006	(515914)
202	12/28/2006	(261352)
203	12/28/2006	(396465)
204	01/19/2007	(532314)
205	01/19/2007	(513430)
206	02/14/2007	(535431)
207	02/14/2007	(537204)
208	02/14/2007	(535407)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	04/30/2002	(157243)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	10/31/2002	(295036)		
Self Report?	YES		Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	02/28/2003	(26512)		
Self Report?	NO		Classification:	Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Part 60, Subpart VV 60.482-7[G]
 Rqmt Prov: PA Permit 7799 SC 10A
 Description: Failure to conduct two successive leak free monthly fugitive monitoring events on three valves in VOC service.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 101, SubChapter A 101.20(3)
 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Part 60, Subpart VV 60.482-7[G]
 Rqmt Prov: PA Permit 7799, SC 10A
 Description: Failure to monitor three valves in VOC service in the ethylene unit.
 Self Report? NO Classification: Moderate
 Citation: 5C THC Chapter 382, SubChapter A 382.085(a)
 Description: Failure to authorize emissions from a wastewater drain.
 Date: 02/29/2004 (295025)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 05/18/2005 (376394)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 1295, Special Conditions I-1 and IV-5
 Description: Failure to maintain the MAERT and concentration emission limit for ammonia (NH3) at the ERU Train B Stack (EPN 537).

F. Environmental audits.

Notice of Intent Date: 01/19/2007 (541324)
 No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
MOBIL CHEMICAL COMPANY INC.
RN100542844**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2007-0259-AIR-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Mobil Chemical Company Inc. ("Mobil") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and Mobil presented this agreement to the Commission.

Mobil understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, Mobil agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon Mobil.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. Mobil owns and operates a petrochemical manufacturing plant at 2775 Gulf Street in Beaumont, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an investigation on October 31, through November 22, 2006, TCEQ staff documented that during an October 30 to November 9, 2006, emissions event, unauthorized emissions of 3,945.5 pounds (lbs) of Volatile Organic Compounds ("VOCs"), 12,881 lbs of Carbon Monoxide ("CO") and 2,518 lbs of Oxides of Nitrogen ("NOx") were released from LP Flare Emission Point

Number ("EPN") EH 41 and 3,901 lbs of VOCs, 13,563 lbs of CO and 2,925 lbs of NOx were released from HP Flare, EPN EH 42 for 249 hours and 39 minutes.

4. Mobil received notice of the violations on February 19, 2007.

II. CONCLUSIONS OF LAW

1. Mobil is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, Mobil failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE §§ 101.20(3), 116.115(b)(2)(F) and (c), Air Permit No. 7799/PSD-TX-860, Special Condition 1 and TEXAS HEALTH & SAFETY CODE § 382.085(b). Since the emissions event was avoidable, Mobil failed to meet the demonstrations for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Mobil for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Forty Thousand Seven Hundred Dollars (\$40,700) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX WATER CODE § 6.053. Mobil has paid Twenty Thousand Three Hundred Fifty Dollars (\$20,350) and Twenty Thousand Three Hundred Fifty Dollars (\$20,350) shall be conditionally offset by Mobil's completion of a Supplemental Environmental Project ("SEP").

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Mobil is assessed an administrative penalty in the amount of Forty Thousand Seven Hundred Dollars (\$40,700) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and Mobil's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Mobil Chemical Company Inc., Docket No. 2007-0259-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. Mobil shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II above, Twenty Thousand Three Hundred Fifty Dollars (\$20,350) of the assessed administrative penalty shall be offset with the condition that Mobil implement the SEP defined in Attachment A, incorporated herein by reference. Mobil's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. Mobil shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, implement training to ensure proper operations and maintenance of LP Flare EH 41 and HP Flare EH 42; and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Air Section, Manager
Beaumont Regional Office
Texas Commission on Environmental Quality
3870 Eastex Freeway
Beaumont, Texas 77703-1892

4. The provisions of this Agreed Order shall apply to and be binding upon Mobil. Mobil is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If Mobil fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Mobil's failure to comply is not a violation of this Agreed Order. Mobil shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Mobil shall notify the Executive Director within seven days after Mobil becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Mobil shall be made in writing to the Executive Director. Extensions are not effective until Mobil receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Mobil if the Executive Director determines that Mobil has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against Mobil in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

Mobil Chemical Company Inc.
DOCKET NO. 2007-0259-AIR-E
Page 5

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission


For the Executive Director

10/27/2007
Date

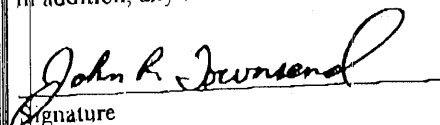
The undersigned, have read and understand the attached Agreed Order in the matter of Mobil Chemical Company Inc. I am authorized to agree to the attached Agreed Order on behalf of Mobil Chemical Company Inc., and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Mobil Chemical Company Inc. waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me;
- and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

5/7/2007
Date

John R. Townsend
Name (Printed or typed)
Authorized Representative of
Mobil Chemical Company Inc.

SITE Manager
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order

Attachment A
Docket Number: 2007-0259-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	Mobil Chemical Company Inc.
Payable Penalty Amount:	Forty Thousand Seven Hundred Dollars (\$40,700)
SEP Amount:	Twenty Thousand Three Hundred Fifty Dollars (\$20,350)
Type of SEP:	Pre-approved
Third-Party Recipient:	Jefferson County: Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles
Location of SEP:	Jefferson County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the Third-Party Recipient will contribute to Jefferson County for its Retrofit/Replacement of Heavy Equipment and Vehicles with Alternative Fueled Equipment and Vehicles. Specifically, the contribution will be used to purchase alternative fueled equipment such as propane or electric powered lawn mowers, propane powered light duty and heavy equipment, and alternative fueled vehicles and retire diesel and gasoline powered equipment and vehicles. Jefferson County will also convert current equipment and vehicles to alternative fueled equipment in order to lower emissions.

All dollars contributed will be used solely for the direct cost of the project and no portion will be spent on administrative costs. The SEP will be done in accordance with all federal, state and local environmental laws and regulations.

The Respondent certifies that there is no prior commitment to make this contribution and that it is being done solely in an effort to settle this enforcement action.

B. Environmental Benefit

This SEP will provide a discernible environmental benefit by reducing air emissions generated by gasoline and diesel powered equipment and vehicles in the Beaumont/Port Arthur ozone non-attainment area.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

The Honorable Judge Ron Walker
Jefferson County Judge
1149 Pearl Street, 4th Floor
Beaumont, Texas 77701

3. Records and Reporting

Concurrent with the payment of the SEP Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division
Attention: SEP Coordinator, MC 219
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality
Financial Administration Division, Revenues
Attention: Cashier, MC 214
P.O. Box 13088
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the TCEQ SEP Coordinator at the address in Section 3 above.

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

